

NOTIFICATION OF CONFLICT OF INTEREST REFERRAL
PART 1: INITIAL NOTIFICATION*(to be filed by the referring office)*

File Part 1 of this form with the U.S. Office of Government Ethics (OGE) upon any referral made to the U.S. Department of Justice (DOJ), pursuant to 28 U.S.C. § 535, involving:

- (1) A possible violation under section 203, 205, 207, 208, and/or 209 of title 18, United States Code;
- (2) A civil or criminal matter related to the filing or non-filing of a financial disclosure report under applicable legal authorities (*e.g.*, 5 U.S.C. app. § 104 or 18 U.S.C. § 1001); or
- (3) A civil matter involving outside earned income under 5 U.S.C. app. § 501 or outside activities under 5 U.S.C. app. § 502.

Submit this form via email to referrals@oge.gov. OGE will confirm receipt and notify the referring office of the OGE tracking number assigned.

1. Federal office referring the matter to the Department of Justice:

Environmental Protection Agency, Office of Inspector General

2. Date of referral:

May 5, 2017

3. Point of contact at the referring office:

Name: (b) (6)

Title: Special Agent in Charge, Mission Support
Division

Telephone: 202 (b) (6)

Email: (b) (6) @epa.gov

4. Tracking/investigation number assigned by the referring office:

OI-PH-2016-ADM-0109

5. Department of Justice office to which the matter was referred:

☐

Public Integrity Section, Criminal Division

☒

U.S. Attorney (*specify district*) Eastern District of Pennsylvania

☐

Other DOJ office (*specify office*)

OGE use only

OGE tracking number:

Date received:

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NOTIFICATION OF CONFLICT OF INTEREST REFERRAL PART 2: DISPOSITION OF REFERRAL

(to be filed by the referring office)

File Part 2 of this form with the U.S. Office of Government Ethics (OGE) following the referral made to the U.S. Department of Justice (DOJ), pursuant to 28 U.S.C. § 535, after both of the following have occurred:

- (1) DOJ has (a) declined prosecution; (b) initiated prosecution or taken other legal action that is a matter of public record; or (c) settled the matter through formal agreement; **and**
- (2) Investigation of the matter has concluded.

Submit this form via email to referrals@oge.gov. OGE will confirm receipt.

1. Federal office referring the matter to the Department of Justice:

Environmental Protection Agency, Office of Inspector General

2. Point of contact at the referring office:

Name: (b) (6)

Title: Special Agent in Charge, Mission Support Division

Telephone: 202-(b) (6)

Email: (b) (6)@epa.gov

3. Tracking/investigation number assigned by the referring office:

OI-BO-2017-ADM-0005

4. OGE tracking number:

5. Statutes involved in the matter *(mark all that apply)*:

☐ 18 U.S.C. § 203

☒ 18 U.S.C. § 1001 *(in connection with financial disclosure or other ethics documents only)*

☐ 18 U.S.C. § 205

☐ 5 U.S.C. app. § 104 *(financial disclosure)*

☐ 18 U.S.C. § 207

☐ 5 U.S.C. app. § 501 *(outside earned income)*

☐ 18 U.S.C. § 208

☐ 5 U.S.C. app. § 502 *(outside activities)*

☐ 18 U.S.C. § 209

☒ Other *(specify)*:
 5 CFR § 2635.702 Use of Public Office for Private Gain
 5 CFR § 2635, subpart E Impartiality in Performing Official Duties
 5 CFR § 6401.103 Prior approval for outside employment

6. Disposition of the referral to DOJ:

Prosecution was declined.

7. Has there been an adverse finding regarding the employee involved related to the Standards of Ethical Conduct for Employees of the Executive Branch (5 C.F.R. part 2635) or agency supplemental standards of conduct?

☐ yes (*complete boxes 8-12 below*)

☒ no (*do not complete the rest of this form*)

If the response in box 7 is "yes," complete boxes 8-12, below.

8. Name and title of the employee or former employee involved:

9. Agency component where the employee/former employee is/was employed:

10. Has the employing agency considered taking corrective action against the employee?

☐ yes

☐ no

☐ unknown

11. Have you elected to attach either a report of investigation or summary?

☐ yes

☐ no

12. (*optional*) Provide any other information you consider pertinent:

This investigation revealed evidence supporting the following:

1) that the subject did not disclose secondary (unpaid) employment with a university on his OGE450 submissions for CY2011 and 2012.

2) that the subject utilized university students in the performance of official duties beginning in June 2016 without an established MOU or 502 waiver, until a MOU was established in early August 2016.